

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

CHARLES S. BACON

Plaintiff,

- vs -

**FALSO HEATING & SHEET METAL, INC., FALSO
SERVICE EXPERTS, LLC, LENNOX INDUSTRIES,
INC, a/k/a FALSO HEATING & SHEET METAL,
INC., a/k/a FALSO SERVICE EXPERTS, LLC, PAUL
WALLACE, and THERESA PRATT;**

**STIPULATION AND
CONSENT ORDER OF
DISMISSAL WITH
PREJUDICE**

Case No.: 08-CV-646

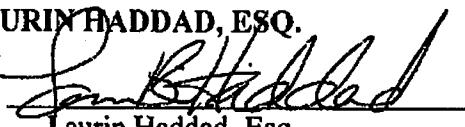
Defendants.

The above-named parties, by and through their undersigned attorneys, the said parties being all parties who have appeared in this action, none of whom is an infant, an incompetent person for whom a committee has been appointed or a conservatee, and there being no person not a party who has an interest in the subject matter of the action, hereby stipulate and agree, in accordance with a Settlement Agreement dated March 1, 2010, that this action shall be dismissed pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, with prejudice and on the merits, each party to bear their own costs incurred prior to the date of this stipulation.

**DATED: Syracuse, New York
 March 17, 2010**

For the Plaintiff:

LAURIN HADDAD, ESQ.

By: 

Laurin Haddad, Esq.
333 East Onondaga Street, Suite 300
Syracuse, New York 13202
Telephone: (315) 849-1443

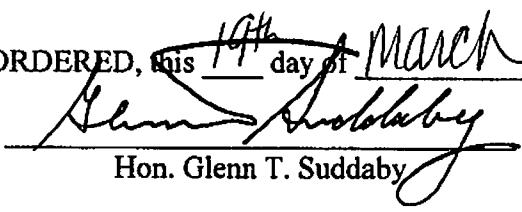
For the Defendants:

JAECKLE, FLEISCHMANN & MUGEL, LLP

By: 

Thomas E. Brydges, Esq.
Twelve Fountain Plaza
Buffalo, New York 14202-2292
Telephone: (716) 843-3812

IT IS SO ORDERED, this 17th day of MARCH, 2010


Hon. Glenn T. Suddaby